



C.M.P.No.16 of 2025
and C.M.A.SR.No.7006 of 2024

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IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.01.2025

CORAM

**THE HONOURABLE MRS. JUSTICE J.NISHA BANU
AND
THE HONOURABLE MR. JUSTICE R.SAKTHIVEL**

C.M.P.No.16 of 2025
and
C.M.A.SR.No.7006 of 2024

Branch Manager,
National Insurance Company Ltd.,
New D.No.457/2, Rasipuram Main Road,
Sendamangalam Business Center,
Ner Lakshmi Theatre, Sendamangalam. ...Petitioner/Appellant

Vs.

1. Sasikumar,
S/o Chinnasamy
2. Sakthivel,
S/o Palanisamy ...Respondents/Respondents

C.M.P.No.16 of 2024 5

Civil Miscellaneous Petition filed under Section 151 CPC, Order 4
Rule 9(4) of A.S.Rules to condone the delay of 235 days in representing
the appeal.

C.M.A.SR.No.7006 of 2024



C.M.P.No.16 of 2025
and C.M.A.SR.No.7006 of 2024

WEB COPY

Appeal filed under Section 173 of the Motor Vehicles Act, 1988 against the award and decree dated 07.11.2023 made in M.C.O.P.No.16 of 2020 on the file of the Motor Accidents Claims Tribunal (Sub Judge), Paramathi.

For Petitioner/Appellant : Mr.D.Bhaskaran

ORDER

(The order of the Court was made by Mrs.J.Nisha Banu,J.)

The above Civil Miscellaneous Petition has been filed to condone the delay of 235 days in representing the appeal.

2. Heard the learned counsel for the petitioner/appellant.

3.The above appeal has been filed challenging the award and decree dated 07.11.2023 made in M.C.O.P.No.16 of 2020 on the file of the Motor Accidents Claims Tribunal (Sub Judge), Paramathi. The claimant had filed the MCOP petition claiming a compensation of Rs.20,00,000/- due to the injuries sustained by him in a road accident which took place on 22.03.2019. The Tribunal had awarded a compensation of Rs.30,63,520/- to the claimant.



C.M.P.No.16 of 2025
and C.M.A.SR.No.7006 of 2024

WEB COPY

4. The judgment and decree was passed in the MCOP.No.16 of 2020 on 18.01.2024. The Appellant had slept over the matter for nearly a year and now has filed the present appeal to set aside the judgment and decree passed in the above Original Petition, along with a petition to condone the delay in representing the appeal.

5. There is undoubtedly an inordinate delay in representing the Appeal and the petitioner/appellant has failed to show sufficient cause to condone the enormous delay of 235 days, that too, in representing the Appeal. Therefore, we are not inclined to condone the delay.

6. Accordingly, the condone delay petition is dismissed and consequently, the Appeal is rejected at the SR stage itself. No costs.

(J.N.B,J.) (R.S.V., J.)
09.01.2025

Index : Yes / No

Internet : Yes

vsi

To

The Motor Accidents Claims Tribunal (Sub Judge), Paramathi.



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C.M.P.No.16 of 2025
and C.M.A.SR.No.7006 of 2024

J. NISHA BANU, J.
and
R.SAKTHIVEL, J.

vsi

C.M.P.No.16 of 2025
and
C.M.A.SR.No.7006 of 2024

09.01.2025